

Appl. No. 09/744,874
Amdt. dated April 11, 2006
Reply to Office Action of January 11, 2006

REMARKS

Reconsideration of this application, and the rejection of claims 1-5 and 14, are respectfully requested. Applicants have attempted to address every objection and ground for rejection in the Office Action dated January 11, 2006 (Paper No. 01052006) and believe the application is now in condition for allowance. Alternatively, the claims are submitted to be in better form for appeal. The claims have been amended to more clearly describe the present invention.

Claims 1-5 stand rejected under 35 U.S.C. §112 as being indefinite, regarding lack of antecedent basis for “the trigger”. Claim 1 has been amended to provide the required antecedent basis.

Claims 1, 3, 5 and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by Couchee (US 5,546,749). Couchee discloses a handle (12) for attachment to a nail gun. However the nail gun to which the handle of Couchee is specifically designed for is one which utilizes a remote air compressor to power the gun. As a result, the handle for Couchee controls the flow of air from the compressor to the gun. The handle (12) achieves this via a trigger lock (135) which is in the form of a protrusion which is used to lock the nail gun in an open position. The handle (16) then utilizes a trigger mechanism (161) to control

Appl. No. 09/744,874
Amdt. dated April 11, 2006
Reply to Office Action of January 11, 2006

the flow of air to operate the nail gun. Accordingly, the trigger mechanism (161) and trigger lock (135) effectively bypass the trigger on the hand tool.

Thus, the handle (12) disclosed in Couchee is materially different from the present invention as claimed, which uses the remote handle to actively manipulate the trigger for operation of the tool. In claim 1, the present invention recites, among other things, “a trigger activator operatively connected to the trigger associated with the hand tool”. In addition, to emphasize this point, Applicant has reinstated previously canceled language that the trigger activator in the form of a handle lever controls the trigger lever to operate the trigger associated with the hand tool. Since Couchee does not actively operate the tool’s trigger as now recited, it does not anticipate claim 1, and the Section 102 rejection is respectfully traversed.

Claims 1 and 2 stand rejected under 35 USC §102(b) by Causey (US 4,207,675). As is the case with Couchee, when attached to the subject power tool, here an electric chainsaw, in Causey the trigger bracket 62 is configured for full compression of the trigger 54 (Col. 4, lines 49-62). Even if some other setting of the trigger is performed, the remote control in Causey bypasses the tool trigger, unlike the invention as now recited.

Also, as argued previously, Causey’s supplemental handle 80 has a grip which is transverse to the shaft 90, in contrast to the presently recited second hand grip extending

Appl. No. 09/744,874
Amdt. dated April 11, 2006
Reply to Office Action of January 11, 2006

radially from the shaft. Accordingly, the Section 102 rejection based on Causey is respectfully traversed.

Claims 1-3 and 5 stand rejected under 35 USC §103(a) as being obvious in view of a combination of Fox (US 5,598,892) and Couchee. The arguments asserted above traversing Couchee are reasserted here. Fox discloses a tool extender with a fixed second handle mount bracket 54 for receiving a second handle 52. The extender also includes an angled reinforcing structure 60, which may serve as a hand rest (FIG. 8), but is not even designated a handle by Fox. Further, Fox requires that a mount or supplemental support 78, 90 is used to support the extender on the user's shoulder (Fox, Col. 5, lines 54-67; Col. 6, lines 1-20). Due to the ergonomics of the shoulder mount 78, 90, to maintain proper tool balance, the second handle 52 is only required to be attached in a fixed position relative to the main shaft 22. The shoulder mount thus limits the possible positions of the second handle 52. As such, there is no incentive to modify Fox per Couchee, as suggested by the Examiner.

In contrast, claim 1 has been amended to recite, among other things, that the hand grip, the trigger activator and the second hand grip are the sole user engagement points of the handle. As such, no supplemental shoulder mount is required or even contemplated. The obvious imbalance of Fox without the shoulder mount renders it irrelevant to the presently amended claim. As stated above, the teachings of Couchee have been traversed by

Appl. No. 09/744,874
Amdt. dated April 11, 2006
Reply to Office Action of January 11, 2006

other amendments to claim 1. Accordingly, the rejection based on a combination of Fox and Couchee is respectfully traversed.

Claim 4 stands rejected under 35 USC §103(a) as being obvious in view of Couchee or Causey. Claim 4 depends from claim 1, which as amended, is distinguishable over Couchee or Causey for the reasons asserted above. Accordingly, the rejection of claim for based on these references is respectfully traversed.

New claim 15 is a combination of claims 1, 2, 5 and 14. None of the rejections asserted by the Examiner apply to all of these claims. Accordingly, new claim 15 is submitted to be in allowable form.

Applicants respectfully draw the Examiner's attention to the fact that all of the claim amendments made herein reflect subject matter already of record or previously considered by the Examiner. As such, there are no new issues requiring further search, and the Amendment should be entered.

Applicants submit that, in view of the above-identified amendments and remarks, the claims in their present form are patentably distinct over the art of record. Allowance of the rejected claims is respectfully requested. In the alternative, the application is in better form for appeal. Should the Examiner discover there are remaining issues which

Appl. No. 09/744,874
Amdt. dated April 11, 2006
Reply to Office Action of January 11, 2006

may be resolved by a telephone interview, she is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

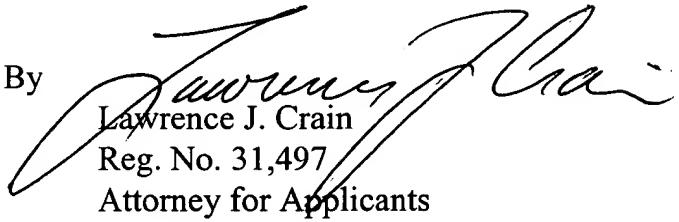
April 11, 2006

GREER, BURNS & CRAIN, LTD.

300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
Tel.: (312) 360-0080
Fax: (312) 360-9315
Customer No.: 24978

P:\DOCS\1029\65160\870291.DOC

By



Lawrence J. Crain
Reg. No. 31,497
Attorney for Applicants